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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,727	03/21/2007	Udo Friese	808/44878	8404
23646 7590 03/04/2009 BARNES & THORNBURG LLP 750-17TH STREET NW SUITE 900 WASHINGTON, DC 20006-4675				
EXAMINER				
TOLAN, EDWARD THOMAS				
ART UNIT		PAPER NUMBER		
3725				
MAIL DATE		DELIVERY MODE		
03/04/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/579,727

**Applicant(s)**

FRIESE, UDO

**Examiner**

EDWARD TOLAN

**Art Unit**

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
- Paper No(s)/Mail Date 3-21-2007
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,7-9,11,13,15-18,20,25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Rolf (5,806,358). Rolf discloses a method for the production of a flange (14) on a circular metal blank (10) having a center bore (51) comprising providing a metal blank (10), providing at least one pressure roller (22,91), forming a conically shaped structure (14, fig. 6) that is at an obtuse angle that appears to be about 135 degrees to a longitudinal axis of the blank (10). The conically shaped structure tapers toward the centric bore as the conically tapering mandrel roller (22) contacts it and forms the conical shape. A flange (fig. 9) is formed on the conically shaped structure by roller (91). Regarding claims 7-9, the cone roller (22) has an adjustment angle greater than 90 degrees and from figures 6 and 7 the angle appears to be about 135 degrees. Regarding claims 11 and 13, the subsequent roller (91) sinks radially into the flange (14). Figure 10 shows that the metal blank is held by an abutment chuck (71) and ring (72).

Claims 1-6,10-12,19 and 25-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Kutzscher et al. (5,987,952). Kutzscher discloses a method for the production of a flange (76) on a circular metal blank (10) having a bore comprising

providing a metal blank (10) having an axial thickness, providing a pressure roller (18), reducing in section (figures 1 and 2) an axial thickness of the blank along a radial dimension thereof and shaping material to form a hub structure (64, fig. 4), and forming the flange (76) from the flange structure (64) by a subsequent treatment using a pressure roller (22, fig. 5). From figures 8c and 8d it is seen that the structure is conically shaped as it is pressed in a flow forming process. Regarding claims 27,29 and 30, the metal blank of Kutzscher is formed with a flange section that is flow formed to be thinner than an initial thickness of the blank.

Claims 26,27,29,30 are rejected under 35 U.S.C. 102(b) as being anticipated by Himmeroeder (5,404,640). Himmeroeder discloses a starter rim (10) for a transmission comprising a flange (18) having teeth (20) and centric bore (82).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kutzscher et al. (5,987,952) in view of Hodjat et al. (5,947,853). Kutzscher does not disclose a press. Hodjat teaches pressing mandrel (120, fig. 7). It would have been obvious to one skilled in the art at the time of invention to provide Kutzscher with a press as taught by Hodjat in order to perform a subsequent treatment on the metal blank.

Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rolf (5,806,358) in view of Friese (5,619,879). Rolf does not disclose that a flange extends on both sides of a metal blank. Friese teaches (figs. 7 and 8) that it is known to form a hub structure (28) having flanges extending on both sides of a metal blank (21). It would have been obvious to one skilled in the art at the time of invention to form the flange of Rolf to extend in either direction axially on the metal blank as taught by Friese in order to provide connections on a top and bottom of the blank.

Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rolf (5,806,358). Rolf discloses a roller (80) that forms an outer flange of the blank (10) against a toothing (55). It would have been obvious to one skilled in the art at the time of invention to provide toothing on an inside or an outside of shaping tool (50) in order to form toothing on an inner or an outer flange part of the metal blank (10).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Ed Tolan whose telephone number is 571-272-4525. FAX communications should be sent to 571-273-8300.

/Edward Tolan/

Primary Examiner, Art Unit 3725

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Art Unit: 3725

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